

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, NOVEMBER 9, 1982

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING November 9 A.D., 1982,
IN Regular SESSION. PRESIDENT Samuel J. Talarico
John H. Logan, Council Attorney
IN THE CHAIR, AND Charles W. Westerman CLERK, AT THE DESK,
PRESENT THE FOLLOWING MEMBERS VIZ:
BRADBURY ✓, BURNS ✓, EISBART ✓,
GlaQUINTA A, SCHMIDT ✓, SCHOMBURG ✓,
SCRUGGS ✓, STIER ✓, TALARICO ✓,
ABSENT _____

COUNCILMAN _____, _____, _____,
_____, _____, _____,

THE INVOCATION WAS GIVEN BY _____

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF
_____, 19____. MOTION MADE AND CARRIED THAT REPORT BE MADE
A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR October 26, 19 82,
_____, 19____,

SPECIAL _____, 19____,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED
AND PUBLISHED.



The City of Fort Wayne

Office of the Mayor

October 29, 1982

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, October 29, 1982, I have approved the following ordinances passed by the Common Council at its regular meeting of October 26, 1982

(Bill No. S-82-10-01)
SPECIAL ORDINANCE NO. S-188-82

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS CITY OF FORT WAYNE, INDIANA VARIABLE RATE DEMAND INDUSTRIAL DEVELOPMENT REVENUE BONDS (RYDER TRUCK LINES, INC. PROJECT) SERIES 1982 AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. S-82-10-03)
SPECIAL ORDINANCE NO. S-189-82

AN ORDINANCE approving a Contract between the City of Fort Wayne and Miller-Davis Company for the construction of the Civic Center Parking Garage, Phase II, in connection with the Board of Public Works

(Bill No. S-82-10-05)
SPECIAL ORDINANCE NO. S-190-82

AN ORDINANCE approving the telephone communications system bid award to KLF Electronics, Inc.

(Bill No. R-82-10-02)
RESOLUTION NO. R-55-82

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT

RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION
AUTHORIZING THE ISSUANCE AND SALE OF \$10,000,000 ECONOMIC REVENUE BONDS
OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF INDUCING THE
APPLICANT, THE CENTRIUM GROUP TO PROCEED WITH THE ACQUISITION
CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-56-82)
RESOLUTION NO. R-56-82

A RESOLUTION approving Resolution No. 82-32, as adopted by the Fort Wayne
Redevelopment Commission for an Amendment to the Civic Center Renewal Project

(Bill No. R-82-09-10)
DECLARATORY RESOLUTION NO. R-58-8

A DECLARATORY RESOLUTION designating an "Urban Development Area" under
I.C. 6-1.1-12.1

(Bill No. R-82-09-11)
DECLARATORY RESOLUTION NO. R-59-82

A DECLARATORY RESOLUTION designating an "Urban Development Area"
under I.C. 6-1.1-12.1

(Bill No. S-82-10-09)
SPECIAL ORDINANCE NO. S-191-82

AN ORDINANCE approving a Contract between the City of Fort Wayne and Edgewood
Utilities, Inc., for the sale of assets to the City of Fort Wayne, in connection with
the Board of Public Works

(Bill No. S-82-10-10)
SPECIAL ORDINANCE NO. S-192-82

AN ORDINANCE approving Change Order No. 9, Resolution No. 310-80, Phase I,
St. Joe Interconnect Interceptor, Federal Grant No. C-180599-06, in connection
with the Board of Public Works

(Bill No. S-82-10-11)
SPECIAL ORDINANCE NO. S-193-82

AN ORDINANCE approving Change Order No. 1 and Final, Resolution No.
1026-81, Southdale Avenue Water Main Extension, in connection with the
Board of Public Works

(Bill No. S-82-10-12)
SPECIAL ORDINANCE NO. S-194-82

AN ORDINANCE approving Change Order No.1 and Final, Resolution No. 1024-81, Ludwig Road Water Main, in connection with the Board of Public Works

(Bill No. S-82-10-13)
SPECIAL ORDINANCE NO. S-195-82

AN ORDINANCE approving City Utilities Purchase Order No. A-012649, with Tri-State Plumbing, for the Water Maintenance and Service Department

(Bill No. S-82-10-14)
SPECIAL ORDINANCE NO. S-196-82

AN ORDINANCE approving City Utilities Purchase Order No. A-012618, with S.E. Jahn Co., Inc., for the Water Pollution Control Plant

(Bill No. S-82-10-15)
SPECIAL ORDINANCE NO. S-197-82

AN ORDINANCE approving City Utilities Purchase Orders Nos. A-012639 and A-012640, with Allen County Motors for the Water Pollution Control Maintenance Department

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Win Moses, Jr.", is written over the printed name.

Win Moses, Jr.
Mayor



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

27 October 1982

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

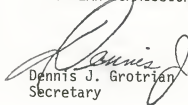
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:


Bill No. Z-82-10-18

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
27th day of October 1982.


Dennis J. Grotrian
Secretary





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

27 October 1982

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held October 25, 1982. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-82-10-18
2. From RA to M1
3. Intended Use: Unknown
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: The strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 26, 1982, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-82-10-18; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 8, 1982;

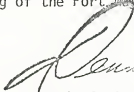
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend by a motion by Ben Eisbart, seconded by Robert Hutner that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 25, 1982.

Certified and signed this
27th day of October 1982.


Dennis J. Grotzian
Secretary

BY M. A. GECOWETS 9-25-82

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 73/82/E
74/82/E
75/82/E
76/82/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted:



Nick Palermo, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. _____)
73/82/E
74/82/E
75/82/E
76/82/E

I hereby certify that I did this 3rd day of
November, 1982 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 73/82/E
74/82/E of the Board of Public
75/82/E & 76/82/E
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.



CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 73/82/E
(Adopted November 3, 1982)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 48/82/E: STOP

INTERSECTION (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 1, 19 82, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 3, 19 82, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Lexington Avenue -- stop -- for Indiana Avenue

74/82/E

November

3

19 82)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the
Temporary Experimental Regulation hereinafter ordered, with
regard to RENEW & EXTEND REG. RES. 50/82/E: NO PARKING
(EMERGENCY)

_: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 1, 19 82, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF
THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 3, 19 82, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

River Run Trail -- both sides -- from St. Joe Center Road to
350' south thereof

REGULATORY RESOLUTION NO. 75/82/E

(Adopted November 3, 19 82)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 52/82/E: NO PARKING
EMERGENCY VEHICLES ONLY (EMERGENCY) and DELETE: NO PARKING
(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 1, 19 82, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 3, 19 82, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING -EMERGENCY VEHICLES ONLY (EMERGENCY)

Calhoun Street -- east side -- from 50' north of Main Street to 95' north thereof

DELETE:

NO PARKING (EMERGENCY)

Calhoun Street -- east side -- from 50' north of Main Street to 95' north thereof

(Adopted November 3, 19 82)

WHEREAS, a special condition has arisen justifying the
Temporary Experimental Regulation hereinafter ordered, with
regard to RENEW & EXTEND REG. RES. 53/82/E: STOP INTERSECTION
(EMERGENCY) and DELETE: TRAFFIC SIGNALS (EMERGENCY)

_: AND,

November 3, 19 82, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

- 1) Grier Street -- stop -- for Anthony Boulevard
- 2) Belmont Street -- stop -- for Calhoun Street
- 3) Hoagland Avenue -- stop -- for Rudisill Boulevard

DELETE:

TRAFFIC SIGNALS (EMERGENCY)

- 1) Anthony Boulevard and Grier Street
- 2) Belmont Street and Calhoun Street
- 3) Hoagland Avenue and Rudisill Boulevard

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 9th day of November, 19 82 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 11th day of November, 19 82.

Charles W. Westerman
Charles W. Westerman
City Clerk